

PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing
(day/month/year)

Applicant's or agent's file reference

S05P0158W000

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/JP2005/001975

International filing date (day/month/year)

03.02.2005

Priority date (day/month/year)

10.02.2004

International Patent Classification (IPC) or both national classification and IPC

Applicant

SONY CORPORATION

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☒ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP

Authorized officer

Facsimile No.

Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2005/001975

Box No. I

Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language
_____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

International application No.
PCT/JP2005/001975

Form PCT/ISA/237 (Box No. V) (January 2004)

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2005/001975

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

As described hereinbelow, claim 2 and the description section of the present international application are not clearly described.

Claim 2 and the Detailed Description section describe that the present time and the start time of the program that has already been broadcasted are compared (a broadcasted program table (TB3) in Fig. 20) and recording of the broadcasted data is started when the data match.

However, it is clear that the present time and past time never match. Therefore, the operation of the recording device described in claim 2 and the description section is not clear.

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: Box V

Claim 2

Document 1 describes that the subscriber device (2) further comprises:

"reservation information accumulation means (238)" (Par. No. 0050) for setting the start time and end time for a program displayed on the screen at present if the program reservation key (5) of the control panel is pushed,

"timing means (235)" (Par. No. 0051) for outputting the present time, and

"reservation control means (240)" (Par. No. 0051) for conducting control so as to start the recording on the VTR (22) when the output from the timing means (235) matches the start time that was set and to end the recording on the VTR (22) when the output from the timing means (235) matches the end time that was set.

Document 1 further describes that a CATV (1) station holds information relating to re-broadcasting, the date and time are automatically searched from the past program guide information, and the recording of the re-broadcasting is reserved (Par. No. 0058).

Therefore, the invention of claim 2 does not appear to possess novelty based on document 1.

Claims 3, 4

Document 1 describes that when the subscriber device (2) requests a program guide information, the "program indicating information" (Par. No. 0027) including the "start and end time" (Par. No. 0032) is transmitted by being included in the request control signal, for example, in the form of "4 ch, 22 April 1995, 17:00-".

Therefore, the inventions of claims 3, 4 do not appear to possess novelty based on document 1.

Claim 6

Document 1 further describes that when a viewer does not indicate the channel, day, start, and end time, the program guide information that is presently being broadcasted is requested (Par. No. 0032).

Therefore, the invention of claim 6 does not appear to possess novelty based on document 1.

(Continued to Supplemental Box)

Supplemental Box

V

Claims 5, 7

Document 2: JP 2002-142197 A (NEC Corp.), 17 May 2002, Par. No. 0022

Document 2 describes that a broadcasting station provides EPG data of a program for broadcasting via internet.

Supplying EPG data of a program that will be broadcasted by using a home page or the like via a broadcasting station as indicated in document 2 is a technology well known for those skilled in the art.

Accordingly, configuring the subscriber device (2) that can obtain from a broadcasting station a plurality of program guide information sets relating to a plurality of broadcasting stations would be easily achieved by a person skilled in the art.

Therefore, the inventions of claims 5 and 7 do not appear to involve an inventive step based on document 1 and document 2.

Claim 8

Document 3: JP 10-177532 A (Access Co.), 30 June 1998, Par. Nos. 0054-0058, Fig. 2

Document 3 describes a technology (Par. No. 0054) for automatically acquiring each data the program display data via internet by using a "calendar – clock function" (Par. No. 0055)

Applying the technology described in document 3 in document 1 would be easily achieved by a person skilled in the art.

Therefore, the invention of claim 8 does not appear to involve an inventive step based on document 1 and document 3.

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1.	<p>With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.</p> <p><input type="checkbox"/> This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).</p>
2.	<p>With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:</p> <p>a. type of material</p> <p><input type="checkbox"/> a sequence listing</p> <p><input type="checkbox"/> table(s) related to the sequence listing</p> <p>b. format of material</p> <p><input type="checkbox"/> in written format</p> <p><input type="checkbox"/> in computer readable form</p> <p>c. time of filing/furnishing</p> <p><input type="checkbox"/> contained in the international application as filed.</p> <p><input type="checkbox"/> filed together with the international application in computer readable form.</p> <p><input type="checkbox"/> furnished subsequently to this Authority for the purposes of search.</p>
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4.	<p>Additional comments:</p>

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/JP2005/001975

Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	5, 7, 8	YES
	Claims	1-4, 6, 9, 10	NO
Inventive step (IS)	Claims		YES
	Claims	1-10	NO
Industrial applicability (IA)	Claims	1-10	YES
	Claims		NO
2. Citations and explanations:			
<p>Claims 1, 9, 10</p> <p>Document 1: JP 8-214282 A, (Seiko-Epson Co., Ltd.) 20 August 1996, Par. Nos. 0018-0037, 0046-0061, Figs. 1, 4, 5, 9, 10</p> <p>Document 1 describes a subscriber device (2) equipped with a VTR (22), comprising "control means (234)" (Par. No. 0024) for setting at least "a channel number corresponding to each broadcasting station" (Par. No. 0020), "program guide request means (231)" for transmitting to a CATV station (1) a "request control signal" (Par. No. 0024) for requesting at least the information (Par. No. 0020) explaining the program contents such as the program name, names of the actors, and a synopsis and also a start time and an end time of the "program that has been broadcasted in the past" (Par. No. 0018) in the channel that was set, "signal separation means (232)" for receiving the "program guide signal" (Par. No. 0025) returned from the CATV station (1) according to the requested control signal, and "program guide display means (233)" for generating a "program guide video signal" (Par. No. 0025) based on the program guide signal.</p> <p>Referring to Fig. 5 of document 1, a text indicating the "program title" is displayed in the second line on the screen, and text indicating the "contents title" is displayed in the third line.</p> <p>Therefore, the inventions of claims 1, 9 and 10 do not appear to possess novelty based on document 1.</p> <p style="text-align: center;">(Continued to Supplemental Box)</p>			

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Claims 3, 4

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